



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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www.deq.virginia.gov

Molly Joseph Ward
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

August 9, 2016

Mr. Matthew Meares
Virginia Solar/Firestone Solar LLC
12610 Lizfield Way
Glen Allen, VA 23509

Location: Buckingham County
Registration No.: 2016-S01

Dear Mr. Meares:

The Department of Environmental Quality (DEQ) has completed its review of your application for coverage under the Small Renewable Energy Project (Solar) Permit By Rule.

Permit by Rule Determination: Based upon this review, the Virginia Solar/Firestone Solar LLC application received on June 9, 2016, including all commitments referenced within the Application Documents including the mitigation measures under Item 8, Mitigation Plan (Application Documents: pg. 33 -34) and the correction documents received June 13, 2016 listed below, accomplishes all of the requirements of 9VAC15-60-30:

Application Documents received June 13, 2016:

- Department of the Army, Preliminary Jurisdictional Determination,
- Original Maximum Generation Capacity Certification,
- Correction, page 19 of 59 of the application documents,

DEQ accepts the determination that no formal mitigation for either cultural or wildlife resources is required; however, DEQ strongly encourages the applicant to incorporate the Recommended Actions listed below.

Recommended Actions: The following are recommended actions to further protect natural resources and should be considered for inclusion to the list of Mitigation Measures committed to under Item 8 Mitigation Plan, pgs. 33-34 of the Application Documents:

- The proposed project will fragment a C5 core as identified in the Virginia Conservation Vision. Minimizing fragmentation is a key mitigation measure that will preserve connectivity of habitats that are important for biodiversity. Reduce fragmentation by (i) minimizing edge in remaining fragments (leaving round versus long, skinny fragments); (ii) retaining connective corridors that allow for migration between fragments; and (iii) by designing intervening landscape to minimize its hostility to native wildlife.
- Follow the Virginia Department of Game and Inland Fisheries guidelines and guidance on tree removal and T&E bats. Guidelines and guidance available at:

<http://www.dgif.virginia.gov/environmental-programs/environmental-services-section/>

<http://www.dgif.virginia.gov/wildlife/bats/northern-long-eared-bat-application/>

<http://www.dgif.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/>

http://www.dgif.virginia.gov/wp-content/uploads/LBBA_TCBA_Guidance.pdf

<http://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>

(note on-line tools and guidance has been updated since March 2016 desktop analysis was performed).

- Use of native vegetation in site perimeter borders, as proposed in the application (pg.33 Application Documents) should be extended to include the use of native vegetation for re-vegetating panel sites. Include a seasonal mowing schedule to avoid nesting season.
- The development of a monitoring and control plan for invasive species.
- The treatment of invasive vegetation within the project area prior to construction.
- Examination of earth moving equipment for rhizomes and seed heads; any soils that may be brought into the construction should be inspected for propagules.
- Strict adherence to erosion and sediment control measures.

Virginia Solar/Firestone Solar LLC shall notify Mary E. Major, DEQ Office of Renewable Energy Permitting, of the actual date on which construction of the solar project

commences as soon as practicable. In addition, Virginia Solar/Firestone Solar LLC shall provide an as-built map of the project post construction.

Please note that if Virginia Solar/Firestone Solar LLC is later determined by the DEQ not to qualify for coverage under the terms and conditions of the Small Renewable Energy Project (Solar) Permit By Rule, then Virginia Solar/Firestone Solar LLC will be subject to enforcement action under the enforcement provisions of the Small Renewable Energy Project (Solar) Permit By Rule (9VAC15-60-140) for operation without a permit.

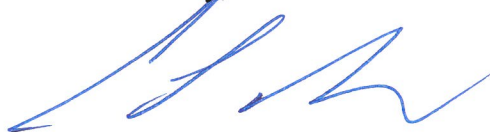
As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of the service of this decision to initiate an appeal of this decision, by filing notice with:

David K. Paylor, Director
Virginia Department of Environmental Quality
ATTN: Office of Renewable Energy Permitting
Post Office Box 1105
Richmond, Virginia 23218

In the event this decision is served to you by mail, three days will be added to that period. Please refer to Part Two of the Rules of the Supreme Court of Virginia, which describes the required content of the Notice of Appeal, including specification of the Circuit Court to which the appeal is taken, and additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this authorization under the Small Renewable Energy Project Permit By Rule, please contact Mary E. Major at 804-698-4423.

Sincerely,



Angela Jenkins, Director
Division of Policy